

1 gr.," borne on the label of the bottle containing the decaphen capsules, "Benzoic Acid 2 grs.," borne on the label of the bottle containing the acid benzoic compound tablets, "Ammonium Salicylate ½ gr.," borne on the label of the bottle containing the ammonium salicylate compound tablets, and "Cincophen 7½ grs.," borne on the label of the bottle containing the cinchophen tablets, were false and misleading, and for the further reason that the articles were labeled as aforesaid so as to deceive and mislead the purchaser, since the articles did not contain the said drugs in the amounts declared on the label. Misbranding was alleged with respect to the magnesium sulphate compound capsules for the further reason that a certain statement appearing on the bottle label falsely and fraudulently represented that it was effective as a treatment for high blood pressure, whereas it was not; and with respect to the silver nitrate compound capsules for the reason that a certain statement appearing on the bottle label falsely and fraudulently represented that it was effective as a treatment for gastritis, whereas it was not, the products containing no ingredients or medicinal agents effective to produce the said curative and therapeutic effects. Misbranding was alleged with respect to the ammonium salicylate compound tablets for the reason that the article contained acetphenetidin, a derivative of acetanilid, and the fact that acetphenetidin is a derivative of acetanilid was not stated on the label.

On June 13, 1932, a plea of guilty to each information was entered on behalf of the defendant company, and the court imposed a fine of \$150 in each case, a total of \$300.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19662. Misbranding of Germaline tablets. U. S. v. 129 Packages of Germaline Tablets. Default decree of condemnation and forfeiture. (F. & D. No. 28290. I. S. No. 47523. S. No. 6163.)

Examination of the drug product, Germaline tablets involved in this action, disclosed no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it on the carton label.

On May 10, 1932, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 129 packages of the said Germaline tablets, remaining in the original unbroken packages at Omaha, Nebr., alleging that the article had been shipped in interstate commerce, on or about January 28, 1932, by the Shores-Mueller Co., from Cedar Rapids, Iowa, to Omaha, Nebr., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of sodium sulphate, potassium permanganate, and sodium chloride.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the carton, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: "Germaline * * * For the Treatment of Poultry Ailments Such As Cholera, Roup, Canker, Bowel Complaint, Swelled Head * * * Sore Mouth, * * * Useful in the Treatment of Affections of the Mucus Membrane. Bowel Complaint; Use Germaline in the drinking water, a tablet to a quart of water. * * * Roup is caused by a severe cold in the head and is accompanied with an accumulation of mucus in the nostrils. * * * Sore Throat: Use Germaline in the drinking water and in severe cases swab the throat with a feather wet in the remedy. Cholera: Is an internal disease accompanied with bowel trouble. Treat as for bowel complaint. Scaly Legs, Pox, * * * Treat with one or two tablets to one-half pint of water. A Valuable Remedy for rusty nail wounds, * * * sore mouths."

On June 23, 1932, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19663. Adulteration and misbranding of ether. U. S. v. Sixteen 5-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27946. I. S. Nos. 23079, 23082. S. No. 5997.)

Samples of ether taken from the shipment involved in this action having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.